

# EXHIBIT A



Lena Andrews <lena.andrews@bncllaw.com>

## Lopez et al v City of Anaheim et al - Request to Meet and Confer re Modification of the Scheduling Order

20 messages

Lena Andrews <lena.andrews@bncllaw.com>

Thu, Apr 18, 2024 at 12:04 PM

To: Gregg Audet <gaudet@anaheim.net>, "Bakken, Tori" <Tori.Bakken@lewisbrisbois.com>, Dana Fox <dana.fox@lewisbrisbois.com>, "McLaughlin, Abigail" <Abigail.McLaughlin@lewisbrisbois.com>, "Sain, Tony" <Tony.Sain@lewisbrisbois.com>

Cc: Irvin Aguirre <irvin.aguirre@bncllaw.com>, Julia Quesada <julia.quesada@bncllaw.com>, DeWitt Lacy <dewitt@bncllaw.com>

Counsel:

I am writing to request that we meet and confer regarding a stipulation to modify the scheduling order in the *Lopez* matter.

As you well know, the Nunis trial is currently ongoing and will last until at least the beginning of May with jury deliberations. Currently, the fact discovery cutoff for Lopez is May 10, 2024. As you know, we previously had a mediation scheduled but due to obligations with her employer, Plaintiffs were not able to attend. Plaintiffs remain interested in engaging in additional settlement discussions and I believe it would be prudent to extend all deadlines in this matter to allow for additional time for those settlement discussions prior to the parties expending additional costs on the case in taking more depositions and hiring experts.

Furthermore, the current trial date in this case (September 17, 2024), ordered by the Court in response to Defendants' Motion to Continue, conflicts with a trial in another matter that was set prior to the Court's order in this matter. That trial is very likely to move forward, necessitating a continuance of this trial.

We would request a sixty day continuance of all deadlines to allow time for the parties to find a mutually convenient date for a mediation and to address the conflict with the trial date. Please advise if you are willing to stipulate to a continuance and I will prepare a stipulation.

Thank you in advance for your anticipated professional courtesy.

Regards,

Lena P. Andrews

*Attorney*



**Burris, Nisenbaum, Curry and Lacy LLP**

9701 Wilshire Blvd., Suite 1000

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Telephone: (310) 601-7070

Facsimile: (510) 839-3882

Website: [www.johnburrislaw.com](http://www.johnburrislaw.com)

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Lena Andrews <lena.andrews@bncllaw.com>

Mon, Apr 22, 2024 at 11:53 AM

To: Gregg Audet <gaudet@anaheim.net>, "Bakken, Tori" <Tori.Bakken@lewisbrisbois.com>, Dana Fox <dana.fox@lewisbrisbois.com>, "McLaughlin, Abigail" <Abigail.McLaughlin@lewisbrisbois.com>, "Sain, Tony" <Tony.Sain@lewisbrisbois.com>

Cc: Irvin Aguirre <irvin.aguirre@bncllaw.com>, Julia Quesada <julia.quesada@bncllaw.com>, DeWitt Lacy <dewitt@bncllaw.com>

Counsel:

I am following up on my email from Thursday. Please advise as to your position on a stipulation to continue.

Regards,

Lena P. Andrews

*Attorney*



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On Apr 18, 2024, at 12:04 PM, Lena Andrews <lena.andrews@bncllaw.com> wrote:

[Quoted text hidden]

McLaughlin, Abigail <Abigail.McLaughlin@lewisbrisbois.com>

Mon, Apr 22, 2024 at 11:58 AM

To: Lena Andrews <lena.andrews@bncllaw.com>, Gregg Audet <gaudet@anaheim.net>, "Bakken, Tori" <Tori.Bakken@lewisbrisbois.com>, "Fox (LA), Dana"

<Dana.Fox@lewisbrisbois.com>, "Sain, Tony" <Tony.Sain@lewisbrisbois.com>

Cc: Irvin Aguirre <irvin.aguirre@bncllaw.com>, Julia Quesada <julia.quesada@bncllaw.com>, DeWitt Lacy <dewitt@bncllaw.com>

Ms. Andrews:

As you know, counsel on this matter are also currently engaged in trial on the Nunis matter. We are discussing the continuance and will get back to you as soon as we can, given the May 10, 2024 fact discovery cut-off. It may be easier to assess if you could circulate a stipulation with proposed dates – that way we are able to see if such comports with our trial schedule in other matters.

Thank you,

Abigail



Abigail J. R. McLaughlin (She/Her/Hers)  
Partner  
Abigail.McLaughlin@lewisbrisbois.com

T: 213.358.6001 F: 213.250.7900

633 W. 5th Street, Suite 4000, Los Angeles, CA 90071 | [LewisBrisbois.com](https://www.lewisbrisbois.com)

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From: Lena Andrews <lena.andrews@bncllaw.com>

Sent: Monday, April 22, 2024 11:53 AM

To: Gregg Audet <gaudet@anaheim.net>; Bakken, Tori <Tori.Bakken@lewisbrisbois.com>; Fox (LA), Dana <Dana.Fox@lewisbrisbois.com>; McLaughlin, Abigail <Abigail.McLaughlin@lewisbrisbois.com>; Sain, Tony <Tony.Sain@lewisbrisbois.com>

Cc: Irvin Aguirre <irvin.aguirre@bncllaw.com>; Julia Quesada <julia.quesada@bncllaw.com>; DeWitt Lacy <dewitt@bncllaw.com>

Subject: [EXT] Re: Lopez et al v City of Anaheim et al - Request to Meet and Confer re Modification of the Scheduling Order

[Quoted text hidden]

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Lena Andrews <lena.andrews@bncllaw.com>

Tue, Apr 23, 2024 at 8:13 PM

To: "McLaughlin, Abigail" <Abigail.McLaughlin@lewisbrisbois.com>

Cc: Gregg Audet <gaudet@anaheim.net>, "Bakken, Tori" <Tori.Bakken@lewisbrisbois.com>, "Fox (LA), Dana" <Dana.Fox@lewisbrisbois.com>, "Sain, Tony"

<Tony.Sain@lewisbrisbois.com>, Irvin Aguirre <irvin.aguirre@bncllaw.com>, Julia Quesada <julia.quesada@bncllaw.com>, DeWitt Lacy <dewitt@bncllaw.com>

Ms. McLaughlin:

A draft stipulation is attached. The dates reflect a 60 day continuance. If the proposed trial date does not work for your office, please suggest alternative dates and we would be happy to consider them.

Please use track changes for any suggested revisions.

Regards,

Lena P. Andrews  
*Attorney*



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[Quoted text hidden]

---

 **Lopez - Stip to Continue.docx**  
73K

---

**Lena Andrews** <lena.andrews@bncllaw.com> Fri, Apr 26, 2024 at 11:19 AM  
To: "McLaughlin, Abigail" <Abigail.McLaughlin@lewisbrisbois.com>  
Cc: Gregg Audet <gaudet@anaheim.net>, "Bakken, Tori" <Tori.Bakken@lewisbrisbois.com>, "Fox (LA), Dana" <Dana.Fox@lewisbrisbois.com>, "Sain, Tony" <Tony.Sain@lewisbrisbois.com>, Irvin Aguirre <irvin.aguirre@bncllaw.com>, Julia Quesada <julia.quesada@bncllaw.com>, DeWitt Lacy <dewitt@bncllaw.com>

Good morning;

I am following up on Defendants' position on the stipulation. Please advise.

Regards,

Lena P. Andrews  
*Attorney*



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[Quoted text hidden]

---

**Sain, Tony** <Tony.Sain@lewisbrisbois.com> Fri, Apr 26, 2024 at 11:56 AM  
To: Lena Andrews <lena.andrews@bncllaw.com>, "McLaughlin, Abigail" <Abigail.McLaughlin@lewisbrisbois.com>  
Cc: Gregg Audet <gaudet@anaheim.net>, "Bakken, Tori" <Tori.Bakken@lewisbrisbois.com>, "Fox (LA), Dana" <Dana.Fox@lewisbrisbois.com>, Irvin Aguirre <irvin.aguirre@bncllaw.com>, Julia Quesada <julia.quesada@bncllaw.com>, DeWitt Lacy <dewitt@bncllaw.com>, "Medina, Christina" <Christina.Medina@lewisbrisbois.com>

Dear Counsel:

The current stipulation does not work for defendants. Ms. McLaughlin is trying to find a defense-workable alternative. However, as she previously advised, that requires a lot of scheduling coordination, since you also want to move the trial date.



Additionally, defendants cannot agree to any continuances unless and until the mediation has been rescheduled.

Ms. McLaughlin will get back to you as soon as feasible. Thanks!

Respectfully,

Tony M. Sain, Esq., Partner Of

**LEWIS, BRISBOIS, BISGAARD & SMITH LLP**

633 West 5<sup>th</sup> Street, Suite 4000

Los Angeles, CA 90071

213.250.1800 (main)

[Tony.Sain@lewisbrisbois.com](mailto:Tony.Sain@lewisbrisbois.com)

<https://lewisbrisbois.com/attorneys/sain-tony-m>

[Quoted text hidden]

---

**Lena Andrews** <lena.andrews@bncllaw.com>

Fri, Apr 26, 2024 at 1:06 PM

To: "Sain, Tony" <Tony.Sain@lewisbrisbois.com>

Cc: "McLaughlin, Abigail" <Abigail.McLaughlin@lewisbrisbois.com>, Gregg Audet <gaudet@anaheim.net>, "Bakken, Tori" <Tori.Bakken@lewisbrisbois.com>, "Fox (LA), Dana" <Dana.Fox@lewisbrisbois.com>, Irvin Aguirre <irvin.aguirre@bncllaw.com>, Julia Quesada <julia.quesada@bncllaw.com>, DeWitt Lacy <dewitt@bncllaw.com>, "Medina, Christina" <Christina.Medina@lewisbrisbois.com>

As stated in my previous email, we are happy to consider alternative dates.

Re the mediation: Are you still amenable to Judge Biderman? If so, I will inquire as to his upcoming availability.

Regards,

Lena P. Andrews

*Attorney*



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[Quoted text hidden]

---

**Bakken, Tori** <Tori.Bakken@lewisbrisbois.com>

Fri, Apr 26, 2024 at 3:40 PM

To: Lena Andrews <lena.andrews@bncllaw.com>, "Sain, Tony" <Tony.Sain@lewisbrisbois.com>

Cc: "McLaughlin, Abigail" <Abigail.McLaughlin@lewisbrisbois.com>, Gregg Audet <gaudet@anaheim.net>, "Fox (LA), Dana" <Dana.Fox@lewisbrisbois.com>, Irvin Aguirre <irvin.aguirre@bncllaw.com>, Julia Quesada <julia.quesada@bncllaw.com>, DeWitt Lacy <dewitt@bncllaw.com>, "Medina, Christina" <Christina.Medina@lewisbrisbois.com>

Good Afternoon Lena,

If we are going to continue the trial date in this matter, based on defense counsel availability, we would need to push it out to June 19-June 27 of next year. Unfortunately, that is the soonest option we have available, but if that does not work, we can offer additional options after that date. Please let us know as soon as possible, as we cannot guarantee this option will remain available.

As to the mediator, yes we would like to still use Judge Biderman.

Thanks,  
Tori



**Tori L. N. Bakken**  
**Attorney**  
[Tori.Bakken@lewisbrisbois.com](mailto:Tori.Bakken@lewisbrisbois.com)  
**T: 213.680.5172 F: 213.250.7900**

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**From:** Lena Andrews <[lena.andrews@bnclaw.com](mailto:lena.andrews@bnclaw.com)>  
**Sent:** Friday, April 26, 2024 1:07 PM  
**To:** Sain, Tony <[Tony.Sain@lewisbrisbois.com](mailto:Tony.Sain@lewisbrisbois.com)>  
**Cc:** McLaughlin, Abigail <[Abigail.McLaughlin@lewisbrisbois.com](mailto:Abigail.McLaughlin@lewisbrisbois.com)>; Gregg Audet <[gaudet@anaheim.net](mailto:gaudet@anaheim.net)>; Bakken, Tori <[Tori.Bakken@lewisbrisbois.com](mailto:Tori.Bakken@lewisbrisbois.com)>; Fox (LA), Dana <[Dana.Fox@lewisbrisbois.com](mailto:Dana.Fox@lewisbrisbois.com)>; Irvin Aguirre <[irvin.aguirre@bnclaw.com](mailto:irvin.aguirre@bnclaw.com)>; Julia Quesada <[julia.quesada@bnclaw.com](mailto:julia.quesada@bnclaw.com)>; DeWitt Lacy <[dewitt@bnclaw.com](mailto:dewitt@bnclaw.com)>; Medina, Christina <[Christina.Medina@lewisbrisbois.com](mailto:Christina.Medina@lewisbrisbois.com)>  
**Subject:** [EXT] Re: [PC] Re: Lopez et al v City of Anaheim et al - Request to Meet and Confer re Modification of the Scheduling Order

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Re the mediation: Are you still amenable to Judge Biderman? If so, I will inquire as to his upcoming availability.

Regards,

Lena P. Andrews  
*Attorney*

[Redacted signature]

[Quoted text hidden]

[Quoted text hidden]

[Quoted text hidden]  
[Quoted text hidden]  
[Quoted text hidden]

[Redacted signature]

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On Tue, Apr 23, 2024 at 8:13 PM Lena Andrews <[lena.andrews@bncllaw.com](mailto:lena.andrews@bncllaw.com)> wrote:

Ms. McLaughlin:

A draft stipulation is attached. The dates reflect a 60 day continuance. If the proposed trial date does not work for your office, please suggest alternative dates and we would be happy to consider them.

Please use track changes for any suggested revisions.

Regards,

Lena P. Andrews

*Attorney*

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[Quoted text hidden]

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Counsel:

I am writing to request that we meet and confer regarding a stipulation to modify the scheduling order in the *Lopez* matter.

As you well know, the Nunis trial is currently ongoing and will last until at least the beginning of May with jury deliberations. Currently, the fact discovery cutoff for Lopez is May 10, 2024. As you know, we previously had a mediation scheduled but due to obligations with her employer, Plaintiffs were not able to attend. Plaintiffs remain interested in engaging in additional settlement discussions and I believe it would be prudent to extend all deadlines in this matter to allow for additional time for those settlement discussions prior to the parties expending additional costs on the case in taking more depositions and hiring experts.

Furthermore, the current trial date in this case (September 17, 2024), ordered by the Court in response to Defendants' Motion to Continue, conflicts with a trial in another matter that was set prior to the Court's order in this matter. That trial is very likely to move forward, necessitating a continuance of this trial.

We would request a sixty day continuance of all deadlines to allow time for the parties to find a mutually convenient date for a mediation and to address the conflict with the trial date. Please advise if you are willing to stipulate to a continuance and I will prepare a stipulation.

Thank you in advance for your anticipated professional courtesy.

Regards,

Lena P. Andrews

*Attorney*

[Redacted Signature]

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[Quoted text hidden]

**Lena Andrews** <[lena.andrews@bncllaw.com](mailto:lena.andrews@bncllaw.com)>

Tue, Apr 30, 2024 at 11:27 AM

To: "Bakken, Tori" <[Tori.Bakken@lewisbrisbois.com](mailto:Tori.Bakken@lewisbrisbois.com)>

Cc: "Sain, Tony" <[Tony.Sain@lewisbrisbois.com](mailto:Tony.Sain@lewisbrisbois.com)>, "McLaughlin, Abigail" <[Abigail.McLaughlin@lewisbrisbois.com](mailto:Abigail.McLaughlin@lewisbrisbois.com)>, Gregg Audet <[gaudet@anaheim.net](mailto:gaudet@anaheim.net)>, "Fox (LA), Dana" <[Dana.Fox@lewisbrisbois.com](mailto:Dana.Fox@lewisbrisbois.com)>, Irvin Aguirre <[irvin.aguirre@bncllaw.com](mailto:irvin.aguirre@bncllaw.com)>, Julia Quesada <[julia.quesada@bncllaw.com](mailto:julia.quesada@bncllaw.com)>, DeWitt Lacy <[dewitt@bncllaw.com](mailto:dewitt@bncllaw.com)>, "Medina, Christina" <[Christina.Medina@lewisbrisbois.com](mailto:Christina.Medina@lewisbrisbois.com)>

Please hold the June dates. I will confirm with my clients and we should be able to get this stipulation finalized by tomorrow.

I have also reached out to Judge Biderman for his availability so that we can reschedule the mediation.

Regards,

Lena P. Andrews

*Attorney*



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[Quoted text hidden]

---

**Lena Andrews** <[lena.andrews@bncllaw.com](mailto:lena.andrews@bncllaw.com)>

Tue, Apr 30, 2024 at 11:47 AM

To: "Bakken, Tori" <[Tori.Bakken@lewisbrisbois.com](mailto:Tori.Bakken@lewisbrisbois.com)>

Cc: "Sain, Tony" <[Tony.Sain@lewisbrisbois.com](mailto:Tony.Sain@lewisbrisbois.com)>, "McLaughlin, Abigail" <[Abigail.McLaughlin@lewisbrisbois.com](mailto:Abigail.McLaughlin@lewisbrisbois.com)>, Gregg Audet <[gaudet@anaheim.net](mailto:gaudet@anaheim.net)>, "Fox (LA), Dana" <[Dana.Fox@lewisbrisbois.com](mailto:Dana.Fox@lewisbrisbois.com)>, Irvin Aguirre <[irvin.aguirre@bncllaw.com](mailto:irvin.aguirre@bncllaw.com)>, Julia Quesada <[julia.quesada@bncllaw.com](mailto:julia.quesada@bncllaw.com)>, DeWitt Lacy <[dewitt@bncllaw.com](mailto:dewitt@bncllaw.com)>, "Medina, Christina" <[Christina.Medina@lewisbrisbois.com](mailto:Christina.Medina@lewisbrisbois.com)>

Counsel:

We can agree to a June 2025 trial date. You had stated you were available June 19-27; however June 19 is a Thursday so that will not work as a start date.

Can you be available to start on June 24?

Regards,

Lena P. Andrews

*Attorney*



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[Quoted text hidden]

---

**Lena Andrews** <[lena.andrews@bncllaw.com](mailto:lena.andrews@bncllaw.com)>

Tue, Apr 30, 2024 at 12:27 PM

To: "Bakken, Tori" <[Tori.Bakken@lewisbrisbois.com](mailto:Tori.Bakken@lewisbrisbois.com)>

Cc: "Sain, Tony" <[Tony.Sain@lewisbrisbois.com](mailto:Tony.Sain@lewisbrisbois.com)>, "McLaughlin, Abigail" <[Abigail.McLaughlin@lewisbrisbois.com](mailto:Abigail.McLaughlin@lewisbrisbois.com)>, Gregg Audet <[gaudet@anaheim.net](mailto:gaudet@anaheim.net)>, "Fox (LA), Dana" <[Dana.Fox@lewisbrisbois.com](mailto:Dana.Fox@lewisbrisbois.com)>, Irvin Aguirre <[irvin.aguirre@bncllaw.com](mailto:irvin.aguirre@bncllaw.com)>, Julia Quesada <[julia.quesada@bncllaw.com](mailto:julia.quesada@bncllaw.com)>, DeWitt Lacy <[dewitt@bncllaw.com](mailto:dewitt@bncllaw.com)>, "Medina, Christina" <[Christina.Medina@lewisbrisbois.com](mailto:Christina.Medina@lewisbrisbois.com)>

In addition, Judge Biderman has requested that we send him some requested dates for the mediation that are at least 2 weeks out. Could you please provide some dates that work for you?

Regards,

Lena P. Andrews

*Attorney*



**Burris, Nisenbaum, Curry and Lacy LLP**

9701 Wilshire Blvd., Suite 1000

Beverly Hills, CA 90212

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On Apr 30, 2024, at 11:47 AM, Lena Andrews <[lana.andrews@bncllaw.com](mailto:lana.andrews@bncllaw.com)> wrote:

Counsel:

[Quoted text hidden]

[Quoted text hidden]

[Quoted text hidden]

[Quoted text hidden]

<Logo\_e6253148-26a1-47a9-b861-6ac0ff0bc3c4.png>

**Tori L. N. Bakken**  
**Attorney**  
[Tori.Bakken@lewisbrisbois.com](mailto:Tori.Bakken@lewisbrisbois.com)

**T: 213.680.5172 F: 213.250.7900**

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**From:** Lena Andrews <[lana.andrews@bncllaw.com](mailto:lana.andrews@bncllaw.com)>  
**Sent:** Friday, April 26, 2024 1:07 PM  
**To:** Sain, Tony <[Tony.Sain@lewisbrisbois.com](mailto:Tony.Sain@lewisbrisbois.com)>  
**Cc:** McLaughlin, Abigail <[Abigail.McLaughlin@lewisbrisbois.com](mailto:Abigail.McLaughlin@lewisbrisbois.com)>; Gregg Audet <[gaudet@anaheim.net](mailto:gaudet@anaheim.net)>; Bakken, Tori <[Tori.Bakken@lewisbrisbois.com](mailto:Tori.Bakken@lewisbrisbois.com)>; Fox (LA), Dana <[Dana.Fox@lewisbrisbois.com](mailto:Dana.Fox@lewisbrisbois.com)>; Irvin Aguirre <[irvin.aguirre@bncllaw.com](mailto:irvin.aguirre@bncllaw.com)>; Julia Quesada <[julia.quesada@bncllaw.com](mailto:julia.quesada@bncllaw.com)>; DeWitt Lacy <[dewitt@bncllaw.com](mailto:dewitt@bncllaw.com)>; Medina, Christina <[Christina.Medina@lewisbrisbois.com](mailto:Christina.Medina@lewisbrisbois.com)>  
**Subject:** [EXT] Re: [PC] Re: Lopez et al v City of Anaheim et al - Request to Meet and Confer re Modification of the Scheduling Order

As stated in my previous email, we are happy to consider alternative dates.

Re the mediation: Are you still amenable to Judge Biderman? If so, I will inquire as to his upcoming availability.

Regards,

Lena P. Andrews

*Attorney*

|

<~WRD0000.jpg>

[Quoted text hidden]

[Quoted text hidden]

[Quoted text hidden]

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[Quoted text hidden]

<~WRD0000.jpg>

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On Tue, Apr 23, 2024 at 8:13 PM Lena Andrews <[lena.andrews@bncllaw.com](mailto:lena.andrews@bncllaw.com)> wrote:

Ms. McLaughlin:

A draft stipulation is attached. The dates reflect a 60 day continuance. If the proposed trial date does not work for your office, please suggest alternative dates and we would be happy to consider them.

Please use track changes for any suggested revisions.

Regards,

Lena P. Andrews

*Attorney*

|

<~WRD0000.jpg>

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On Mon, Apr 22, 2024 at 11:58 AM McLaughlin, Abigail <[Abigail.McLaughlin@lewisbrisbois.com](mailto:Abigail.McLaughlin@lewisbrisbois.com)> wrote:

Ms. Andrews:

As you know, counsel on this matter are also currently engaged in trial on the Nunis matter. We are discussing the continuance and will get back to you as soon as we can, given the May 10, 2024 fact discovery cut-off. It may be easier to assess if you could circulate a stipulation with proposed dates – that way we are able to see if such comports with our trial schedule in other matters.

Thank you,

Abigail



<image001.png>

Abigail J. R. McLaughlin (She/Her/Hers)  
Partner  
[Abigail.McLaughlin@lewisbrisbois.com](mailto:Abigail.McLaughlin@lewisbrisbois.com)  
T: 213.358.6001 F: 213.250.7900

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**From:** Lena Andrews <[lena.andrews@bncllaw.com](mailto:lena.andrews@bncllaw.com)>  
**Sent:** Monday, April 22, 2024 11:53 AM  
**To:** Gregg Audet <[gaudet@anaheim.net](mailto:gaudet@anaheim.net)>; Bakken, Tori <[Tori.Bakken@lewisbrisbois.com](mailto:Tori.Bakken@lewisbrisbois.com)>; Fox (LA), Dana <[Dana.Fox@lewisbrisbois.com](mailto:Dana.Fox@lewisbrisbois.com)>; McLaughlin, Abigail <[Abigail.McLaughlin@lewisbrisbois.com](mailto:Abigail.McLaughlin@lewisbrisbois.com)>; Sain, Tony <[Tony.Sain@lewisbrisbois.com](mailto:Tony.Sain@lewisbrisbois.com)>  
**Cc:** Irvin Aguirre <[irvin.aguirre@bncllaw.com](mailto:irvin.aguirre@bncllaw.com)>; Julia Quesada <[julia.quesada@bncllaw.com](mailto:julia.quesada@bncllaw.com)>; DeWitt Lacy <[dewitt@bncllaw.com](mailto:dewitt@bncllaw.com)>  
**Subject:** [EXT] Re: Lopez et al v City of Anaheim et al - Request to Meet and Confer re Modification of the Scheduling Order

Counsel:

I am following up on my email from Thursday. Please advise as to your position on a stipulation to continue.

Regards,

Lena P. Andrews  
*Attorney*

|  
<-WRD0000.jpg>

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9701 Wilshire Blvd., Suite 1000  
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On Apr 18, 2024, at 12:04 PM, Lena Andrews <[lena.andrews@bncllaw.com](mailto:lena.andrews@bncllaw.com)> wrote:

Counsel:



I am writing to request that we meet and confer regarding a stipulation to modify the scheduling order in the *Lopez* matter.

As you well know, the Nunis trial is currently ongoing and will last until at least the beginning of May with jury deliberations. Currently, the fact discovery cutoff for Lopez is May 10, 2024. As you know, we previously had a mediation scheduled but due to obligations with her employer, Plaintiffs were not able to attend. Plaintiffs remain interested in engaging in additional settlement discussions and I believe it would be prudent to extend all deadlines in this matter to allow for additional time for those settlement discussions prior to the parties expending additional costs on the case in taking more depositions and hiring experts.

Furthermore, the current trial date in this case (September 17, 2024), ordered by the Court in response to Defendants' Motion to Continue, conflicts with a trial in another matter that was set prior to the Court's order in this matter. That trial is very likely to move forward, necessitating a continuance of this trial.

We would request a sixty day continuance of all deadlines to allow time for the parties to find a mutually convenient date for a mediation and to address the conflict with the trial date. Please advise if you are willing to stipulate to a continuance and I will prepare a stipulation.

Thank you in advance for your anticipated professional courtesy.

Regards,

Lena P. Andrews

*Attorney*

|

<~WRD0000.jpg>

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[Quoted text hidden]

**Bakken, Tori** <Tori.Bakken@lewisbrisbois.com>

To: Lena Andrews <lena.andrews@bncllaw.com>

Cc: "Sain, Tony" <Tony.Sain@lewisbrisbois.com>, "McLaughlin, Abigail" <Abigail.McLaughlin@lewisbrisbois.com>, Gregg Audet <gaudet@anaheim.net>, "Fox (LA), Dana" <Dana.Fox@lewisbrisbois.com>, Irvin Aguirre <irvin.aguirre@bncllaw.com>, Julia Quesada <julia.quesada@bncllaw.com>, DeWitt Lacy <dewitt@bncllaw.com>, "Medina, Christina" <Christina.Medina@lewisbrisbois.com>

Tue, Apr 30, 2024 at 1:12 PM

We can do May 15 or May 17, but the 15<sup>th</sup> is preferable.



Tori L. N. Bakken  
Attorney  
[Tori.Bakken@lewisbrisbois.com](mailto:Tori.Bakken@lewisbrisbois.com)

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**From:** Lena Andrews <[lena.andrews@bncllaw.com](mailto:lena.andrews@bncllaw.com)>

**Sent:** Tuesday, April 30, 2024 12:28 PM

**To:** Bakken, Tori <[Tori.Bakken@lewisbrisbois.com](mailto:Tori.Bakken@lewisbrisbois.com)>

**Cc:** Sain, Tony <[Tony.Sain@lewisbrisbois.com](mailto:Tony.Sain@lewisbrisbois.com)>; McLaughlin, Abigail <[Abigail.McLaughlin@lewisbrisbois.com](mailto:Abigail.McLaughlin@lewisbrisbois.com)>; Gregg Audet <[gaudet@anaheim.net](mailto:gaudet@anaheim.net)>; Fox (LA), Dana <[Dana.Fox@lewisbrisbois.com](mailto:Dana.Fox@lewisbrisbois.com)>; Irvin Aguirre <[irvin.aguirre@bncllaw.com](mailto:irvin.aguirre@bncllaw.com)>; Julia Quesada <[julia.quesada@bncllaw.com](mailto:julia.quesada@bncllaw.com)>; DeWitt Lacy <[dewitt@bncllaw.com](mailto:dewitt@bncllaw.com)>; Medina, Christina <[Christina.Medina@lewisbrisbois.com](mailto:Christina.Medina@lewisbrisbois.com)>

**Subject:** Re: [EXT] Re: [PC] Re: Lopez et al v City of Anaheim et al - Request to Meet and Confer re Modification of the Scheduling Order

In addition, Judge Biderman has requested that we send him some requested dates for the mediation that are at least 2 weeks out. Could you please provide some dates that work for you?

Regards,

Lena P. Andrews

Attorney

[Redacted Signature]

**Burris, Nisenbaum, Curry and Lacy LLP**

9701 Wilshire Blvd., Suite 1000

Beverly Hills, CA 90212

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Facsimile: (510) 839-3882

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On Apr 30, 2024, at 11:47 AM, Lena Andrews <[lena.andrews@bncllaw.com](mailto:lena.andrews@bncllaw.com)> wrote:

Counsel:

We can agree to a June 2025 trial date. You had stated you were available June 19-27; however June 19 is a Thursday so that will not work as a start date.

Can you be available to start on June 24?

Regards,

Lena P. Andrews

*Attorney*

[Redacted]

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On Tue, Apr 30, 2024 at 11:27 AM Lena Andrews <[lena.andrews@bncllaw.com](mailto:lena.andrews@bncllaw.com)> wrote:

Please hold the June dates. I will confirm with my clients and we should be able to get this stipulation finalized by tomorrow.

I have also reached out to Judge Biderman for his availability so that we can reschedule the mediation.

Regards,

Lena P. Andrews

*Attorney*

[Redacted]

[Quoted text hidden]

[Quoted text hidden]

[Quoted text hidden]

**Lena Andrews** <[lena.andrews@bncllaw.com](mailto:lena.andrews@bncllaw.com)>

Tue, Apr 30, 2024 at 3:56 PM

To: "Bakken, Tori" <[Tori.Bakken@lewisbrisbois.com](mailto:Tori.Bakken@lewisbrisbois.com)>

Cc: "Sain, Tony" <[Tony.Sain@lewisbrisbois.com](mailto:Tony.Sain@lewisbrisbois.com)>, "McLaughlin, Abigail" <[Abigail.McLaughlin@lewisbrisbois.com](mailto:Abigail.McLaughlin@lewisbrisbois.com)>, Gregg Audet <[gaudet@anaheim.net](mailto:gaudet@anaheim.net)>, "Fox (LA), Dana" <[Dana.Fox@lewisbrisbois.com](mailto:Dana.Fox@lewisbrisbois.com)>, Irvin Aguirre <[irvin.aguirre@bncllaw.com](mailto:irvin.aguirre@bncllaw.com)>, Julia Quesada <[julia.quesada@bncllaw.com](mailto:julia.quesada@bncllaw.com)>, DeWitt Lacy <[dewitt@bncllaw.com](mailto:dewitt@bncllaw.com)>, "Medina, Christina" <[Christina.Medina@lewisbrisbois.com](mailto:Christina.Medina@lewisbrisbois.com)>

May 15 will not work and May 17 is not ideal. Do you have any other availability in late May?

Regards,

Lena P. Andrews

*Attorney*



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[Quoted text hidden]

---

**Lena Andrews** <[lena.andrews@bncllaw.com](mailto:lena.andrews@bncllaw.com)>

Wed, May 1, 2024 at 12:15 PM

To: "Bakken, Tori" <[Tori.Bakken@lewisbrisbois.com](mailto:Tori.Bakken@lewisbrisbois.com)>

Cc: "Sain, Tony" <[Tony.Sain@lewisbrisbois.com](mailto:Tony.Sain@lewisbrisbois.com)>, "McLaughlin, Abigail" <[Abigail.McLaughlin@lewisbrisbois.com](mailto:Abigail.McLaughlin@lewisbrisbois.com)>, Gregg Audet <[gaudet@anaheim.net](mailto:gaudet@anaheim.net)>, "Fox (LA),

Dana" <[Dana.Fox@lewisbrisbois.com](mailto:Dana.Fox@lewisbrisbois.com)>, Irvin Aguirre <[irvin.aguirre@bncllaw.com](mailto:irvin.aguirre@bncllaw.com)>, Julia Quesada <[julia.quesada@bncllaw.com](mailto:julia.quesada@bncllaw.com)>, DeWitt Lacy <[dewitt@bncllaw.com](mailto:dewitt@bncllaw.com)>, "Medina, Christina" <[Christina.Medina@lewisbrisbois.com](mailto:Christina.Medina@lewisbrisbois.com)>

Good morning;

I am following up on the trial date and a date for the rescheduled mediation. Please advise.

Regards,

Lena P. Andrews

*Attorney*



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9701 Wilshire Blvd., Suite 1000

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[Quoted text hidden]

---

**Lena Andrews** <[lena.andrews@bncllaw.com](mailto:lena.andrews@bncllaw.com)>

Mon, May 6, 2024 at 10:39 AM

To: "Bakken, Tori" <[Tori.Bakken@lewisbrisbois.com](mailto:Tori.Bakken@lewisbrisbois.com)>

Cc: "Sain, Tony" <[Tony.Sain@lewisbrisbois.com](mailto:Tony.Sain@lewisbrisbois.com)>, "McLaughlin, Abigail" <[Abigail.McLaughlin@lewisbrisbois.com](mailto:Abigail.McLaughlin@lewisbrisbois.com)>, Gregg Audet <[gaudet@anaheim.net](mailto:gaudet@anaheim.net)>, "Fox (LA),

Dana" <[Dana.Fox@lewisbrisbois.com](mailto:Dana.Fox@lewisbrisbois.com)>, Irvin Aguirre <[irvin.aguirre@bncllaw.com](mailto:irvin.aguirre@bncllaw.com)>, Julia Quesada <[julia.quesada@bncllaw.com](mailto:julia.quesada@bncllaw.com)>, DeWitt Lacy <[dewitt@bncllaw.com](mailto:dewitt@bncllaw.com)>, "Medina, Christina" <[Christina.Medina@lewisbrisbois.com](mailto:Christina.Medina@lewisbrisbois.com)>

I am again following up on the stipulation. Per your request, the mediation for May 14 has been confirmed.

An updated draft of the stipulation is attached. Please advise of your revisions by close of business today so that we can timely file the stipulation prior to the current discovery cut-off.

Regards,

Lena P. Andrews

*Attorney*



**Burris, Nisenbaum, Curry and Lacy LLP**


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[Quoted text hidden]

 **Lopez - Stip to Continue.docx**  
74K

**Bakken, Tori** <Tori.Bakken@lewisbrisbois.com> Mon, May 6, 2024 at 10:59 AM  
To: Lena Andrews <lena.andrews@bnclaw.com>  
Cc: "Sain, Tony" <Tony.Sain@lewisbrisbois.com>, "McLaughlin, Abigail" <Abigail.McLaughlin@lewisbrisbois.com>, Gregg Audet <gaudet@anaheim.net>, "Fox (LA), Dana" <Dana.Fox@lewisbrisbois.com>, Irvin Aguirre <irvin.aguirre@bnclaw.com>, Julia Quesada <julia.quesada@bnclaw.com>, DeWitt Lacy <dewitt@bnclaw.com>, "Medina, Christina" <Christina.Medina@lewisbrisbois.com>

Good Morning Lena,

As I advised in my 5/2 email, we are not authorized to agree to any continuance in this matter at this time. After the mediation concludes, we are open to re-discussing if necessary.

Thank you,

Tori



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**From:** Lena Andrews <lena.andrews@bnclaw.com>  
**Sent:** Monday, May 6, 2024 10:40 AM  
**To:** Bakken, Tori <Tori.Bakken@lewisbrisbois.com>  
**Cc:** Sain, Tony <Tony.Sain@lewisbrisbois.com>; McLaughlin, Abigail <Abigail.McLaughlin@lewisbrisbois.com>; Gregg Audet <gaudet@anaheim.net>; Fox (LA), Dana <Dana.Fox@lewisbrisbois.com>; Irvin Aguirre <irvin.aguirre@bnclaw.com>; Julia Quesada <julia.quesada@bnclaw.com>; DeWitt Lacy <dewitt@bnclaw.com>; Medina, Christina <Christina.Medina@lewisbrisbois.com>  
**Subject:** Re: [EXT] Re: [PC] Re: Lopez et al v City of Anaheim et al - Request to Meet and Confer re Modification of the Scheduling Order

I am again following up on the stipulation. Per your request, the mediation for May 14 has been confirmed.

An updated draft of the stipulation is attached. Please advise of your revisions by close of business today so that we can timely file the stipulation prior to the current discovery cut-off.

Regards,

Lena P. Andrews

Attorney

**Burris, Nisenbaum, Curry and Lacy LLP**

9701 Wilshire Blvd., Suite 1000

Beverly Hills, CA 90212

Telephone: (310) 601-7070

Facsimile: (510) 839-3882

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On Wed, May 1, 2024 at 12:15 PM Lena Andrews <[lana.andrews@bncllaw.com](mailto:lana.andrews@bncllaw.com)> wrote:

Good morning:

I am following up on the trial date and a date for the rescheduled mediation. Please advise.

Regards,

Lena P. Andrews

Attorney

**Burris, Nisenbaum, Curry and Lacy LLP**

9701 Wilshire Blvd., Suite 1000

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On Tue, Apr 30, 2024 at 3:56 PM Lena Andrews <[lana.andrews@bncllaw.com](mailto:lana.andrews@bncllaw.com)> wrote:

May 15 will not work and May 17 is not ideal. Do you have any other availability in late May?

Regards,

Lena P. Andrews

Attorney

[Quoted text hidden]

[Quoted text hidden]

[Quoted text hidden]

Lena Andrews <lena.andrews@bncllaw.com>

Mon, May 6, 2024 at 11:12 AM

To: "Bakken, Tori" <Tori.Bakken@lewisbrisbois.com>

Cc: "Sain, Tony" <Tony.Sain@lewisbrisbois.com>, "McLaughlin, Abigail" <Abigail.McLaughlin@lewisbrisbois.com>, Gregg Audet <gaudet@anaheim.net>, "Fox (LA), Dana" <Dana.Fox@lewisbrisbois.com>, Irvin Aguirre <irvin.aguirre@bncllaw.com>, Julia Quesada <julia.quesada@bncllaw.com>, DeWitt Lacy <dewitt@bncllaw.com>, "Medina, Christina" <Christina.Medina@lewisbrisbois.com>

Ms. Bakken:

This is unacceptable and clearly a bad faith attempt to stymy Plaintiffs.

We have been discussing this stipulation for almost two weeks. First you indicated that you would only agree to a stipulation if we agreed to move the trial date to June as the trial date set by the Court conflicts with a previously scheduled trial. We agreed in good faith.

Then you indicated that you would agree to the stipulation if we got the mediation back on calendar and confirmed. We agreed and worked diligently to make sure it was back on calendar as soon as possible. Then, after we had agreed in good faith to each of your demands, you now inform us that Defendants are only willing to stipulate to a scheduling change after the mediation has occurred on May 14, 2024, which is after the close of discovery and only three days prior to the expert disclosure deadline. This is pure gamesmanship and not well taken.

If you cannot agree to the stipulation, Plaintiffs will be moving ex parte to modify the scheduling order.

Please advise as to your position.

Regards,

Lena P. Andrews

*Attorney*



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[Quoted text hidden]

Bakken, Tori <Tori.Bakken@lewisbrisbois.com>

Mon, May 6, 2024 at 11:42 AM

To: Lena Andrews <lena.andrews@bncllaw.com>

Cc: "Sain, Tony" <Tony.Sain@lewisbrisbois.com>, "McLaughlin, Abigail" <Abigail.McLaughlin@lewisbrisbois.com>, Gregg Audet <gaudet@anaheim.net>, "Fox (LA), Dana" <Dana.Fox@lewisbrisbois.com>, Irvin Aguirre <irvin.aguirre@bncllaw.com>, Julia Quesada <julia.quesada@bncllaw.com>, DeWitt Lacy <dewitt@bncllaw.com>, "Medina, Christina" <Christina.Medina@lewisbrisbois.com>

Good Afternoon Ms. Andrews,

Unfortunately, when we advised of the June dates, that was based solely on defense counsels' availability: knowing that such would be limited, we tried to get you that as soon as possible. However, upon speaking with our clients, we were informed that we do not have authorization to agree to any continuance in this matter at this time. As you are aware, defendants have been seeking to get the mediation on calendar for quite some time now, as we never received a counter demand to our last offer and your office cancelled the last scheduled mediation with very short notice. As such, ensuring that this mediation occurs is our top priority, and there is concern with agreeing to a continuance at this time, that your office will again fail to show up to the agreed upon mediation.

We are happy to re-visit the discussion again after the 14<sup>th</sup>, but understand if you feel the need to bring an ex parte motion prior to then.

Thanks,

Tori





Tori L. N. Bakken  
Attorney  
Tori.Bakken@lewisbrisbois.com  
T: 213.680.5172 F: 213.250.7900

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**From:** Lena Andrews <[lena.andrews@bncllaw.com](mailto:lena.andrews@bncllaw.com)>  
**Sent:** Monday, May 6, 2024 11:13 AM  
**To:** Bakken, Tori <[Tori.Bakken@lewisbrisbois.com](mailto:Tori.Bakken@lewisbrisbois.com)>  
**Cc:** Sain, Tony <[Tony.Sain@lewisbrisbois.com](mailto:Tony.Sain@lewisbrisbois.com)>; McLaughlin, Abigail <[Abigail.McLaughlin@lewisbrisbois.com](mailto:Abigail.McLaughlin@lewisbrisbois.com)>; Gregg Audet <[gaudet@anaheim.net](mailto:gaudet@anaheim.net)>; Fox (LA), Dana <[Dana.Fox@lewisbrisbois.com](mailto:Dana.Fox@lewisbrisbois.com)>; Irvin Aguirre <[irvin.aguirre@bncllaw.com](mailto:irvin.aguirre@bncllaw.com)>; Julia Quesada <[julia.quesada@bncllaw.com](mailto:julia.quesada@bncllaw.com)>; DeWitt Lacy <[dewitt@bncllaw.com](mailto:dewitt@bncllaw.com)>; Medina, Christina <[Christina.Medina@lewisbrisbois.com](mailto:Christina.Medina@lewisbrisbois.com)>  
**Subject:** Re: [EXT] Re: [PC] Re: Lopez et al v City of Anaheim et al - Request to Meet and Confer re Modification of the Scheduling Order

Ms. Bakken:

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If you cannot agree to the stipulation, Plaintiffs will be moving ex parte to modify the scheduling order.

Please advise as to your position.

Regards,

Lena P. Andrews

*Attorney*

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On Mon, May 6, 2024 at 10:59 AM Bakken, Tori <Tori.Bakken@lewisbrisbois.com> wrote:

Good Morning Lena,

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Thank you,

Tori



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**From:** Lena Andrews <[lena.andrews@bncllaw.com](mailto:lena.andrews@bncllaw.com)>  
**Sent:** Monday, May 6, 2024 10:40 AM  
**To:** Bakken, Tori <[Tori.Bakken@lewisbrisbois.com](mailto:Tori.Bakken@lewisbrisbois.com)>  
**Cc:** Sain, Tony <[Tony.Sain@lewisbrisbois.com](mailto:Tony.Sain@lewisbrisbois.com)>; McLaughlin, Abigail <[Abigail.McLaughlin@lewisbrisbois.com](mailto:Abigail.McLaughlin@lewisbrisbois.com)>; Gregg Audet <[gaudet@anaheim.net](mailto:gaudet@anaheim.net)>; Fox (LA), Dana <[Dana.Fox@lewisbrisbois.com](mailto:Dana.Fox@lewisbrisbois.com)>; Irvin Aguirre <[irvin.aguirre@bncllaw.com](mailto:irvin.aguirre@bncllaw.com)>; Julia Quesada <[julia.quesada@bncllaw.com](mailto:julia.quesada@bncllaw.com)>; DeWitt Lacy <[dewitt@bncllaw.com](mailto:dewitt@bncllaw.com)>; Medina, Christina <[Christina.Medina@lewisbrisbois.com](mailto:Christina.Medina@lewisbrisbois.com)>  
**Subject:** Re: [EXT] Re: [PC] Re: Lopez et al v City of Anaheim et al - Request to Meet and Confer re Modification of the Scheduling Order

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Regards,

Lena P. Andrews

*Attorney*

[Redacted signature]

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On Wed, May 1, 2024 at 12:15 PM Lena Andrews <[lena.andrews@bnclaw.com](mailto:lena.andrews@bnclaw.com)> wrote:

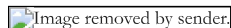
Good morning:

I am following up on the trial date and a date for the rescheduled mediation. Please advise.

Regards,

Lena P. Andrews

*Attorney*



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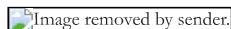
On Tue, Apr 30, 2024 at 3:56 PM Lena Andrews <[lena.andrews@bnclaw.com](mailto:lena.andrews@bnclaw.com)> wrote:

May 15 will not work and May 17 is not ideal. Do you have any other availability in late May?

Regards,

Lena P. Andrews

*Attorney*



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On Tue, Apr 30, 2024 at 1:13 PM Bakken, Tori <Tori.Bakken@lewisbrisbois.com> wrote:

We can do May 15 or May 17, but the 15<sup>th</sup> is preferable.



Tori L. N. Bakken  
Attorney  
Tori.Bakken@lewisbrisbois.com  
T: 213.680.5172 F: 213.250.7900

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---

**From:** Lena Andrews <[lena.andrews@bncllaw.com](mailto:lena.andrews@bncllaw.com)>  
**Sent:** Tuesday, April 30, 2024 12:28 PM  
**To:** Bakken, Tori <[Tori.Bakken@lewisbrisbois.com](mailto:Tori.Bakken@lewisbrisbois.com)>  
**Cc:** Sain, Tony <[Tony.Sain@lewisbrisbois.com](mailto:Tony.Sain@lewisbrisbois.com)>; McLaughlin, Abigail <[Abigail.McLaughlin@lewisbrisbois.com](mailto:Abigail.McLaughlin@lewisbrisbois.com)>; Gregg Audet <[gaudet@anaheim.net](mailto:gaudet@anaheim.net)>; Fox (LA), Dana <[Dana.Fox@lewisbrisbois.com](mailto:Dana.Fox@lewisbrisbois.com)>; Irvin Aguirre <[irvin.aguirre@bncllaw.com](mailto:irvin.aguirre@bncllaw.com)>; Julia Quesada <[julia.quesada@bncllaw.com](mailto:julia.quesada@bncllaw.com)>; DeWitt Lacy <[dewitt@bncllaw.com](mailto:dewitt@bncllaw.com)>; Medina, Christina <[Christina.Medina@lewisbrisbois.com](mailto:Christina.Medina@lewisbrisbois.com)>  
**Subject:** Re: [EXT] Re: [PC] Re: Lopez et al v City of Anaheim et al - Request to Meet and Confer re Modification of the Scheduling Order

In addition, Judge Biderman has requested that we send him some requested dates for the mediation that are at least 2 weeks out. Could you please provide some dates that work for you?

Regards,

Lena P. Andrews  
Attorney



**Burris, Nisenbaum, Curry and Lacy LLP**

9701 Wilshire Blvd., Suite 1000

Beverly Hills, CA 90212  
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you received this communication in error, please contact us immediately at (310) 601-7070, and delete the communication from any computer or network system or dispose of the documents as directed. Thank you.

On Apr 30, 2024, at 11:47 AM, Lena Andrews <[lena.andrews@bncclaw.com](mailto:lena.andrews@bncclaw.com)> wrote:

Counsel:

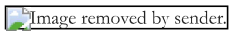
We can agree to a June 2025 trial date. You had stated you were available June 19-27; however June 19 is a Thursday so that will not work as a start date.

Can you be available to start on June 24?

Regards,

Lena P. Andrews

*Attorney*



**Burris, Nisenbaum, Curry and Lacy LLP**

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**Beverly Hills, CA 90212**

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On Tue, Apr 30, 2024 at 11:27 AM Lena Andrews <[lena.andrews@bncclaw.com](mailto:lena.andrews@bncclaw.com)> wrote:

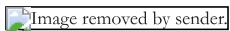
Please hold the June dates. I will confirm with my clients and we should be able to get this stipulation finalized by tomorrow.

I have also reached out to Judge Biderman for his availability so that we can reschedule the mediation.

Regards,

Lena P. Andrews

*Attorney*



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On Fri, Apr 26, 2024 at 3:40 PM Bakken, Tori <Tori.Bakken@lewisbrisbois.com> wrote:

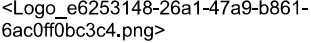
Good Afternoon Lena,

If we are going to continue the trial date in this matter, based on defense counsel availability, we would need to push it out to June 19-June 27 of next year. Unfortunately, that is the soonest option we have available, but if that does not work, we can offer additional options after that date. Please let us know as soon as possible, as we cannot guarantee this option will remain available.

As to the mediator, yes we would like to still use Judge Biderman.

Thanks,

Tori

 **Tori L. N. Bakken**  
Attorney  
[Tori.Bakken@lewisbrisbois.com](mailto:Tori.Bakken@lewisbrisbois.com)  
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---

**From:** Lena Andrews <[lena.andrews@bncllaw.com](mailto:lena.andrews@bncllaw.com)>  
**Sent:** Friday, April 26, 2024 1:07 PM  
**To:** Sain, Tony <[Tony.Sain@lewisbrisbois.com](mailto:Tony.Sain@lewisbrisbois.com)>  
**Cc:** McLaughlin, Abigail <[Abigail.McLaughlin@lewisbrisbois.com](mailto:Abigail.McLaughlin@lewisbrisbois.com)>; Gregg Audet <[gaudet@anaheim.net](mailto:gaudet@anaheim.net)>; Bakken, Tori <[Tori.Bakken@lewisbrisbois.com](mailto:Tori.Bakken@lewisbrisbois.com)>; Fox (LA), Dana <[Dana.Fox@lewisbrisbois.com](mailto:Dana.Fox@lewisbrisbois.com)>; Irvin Aguirre <[irvin.aguirre@bncllaw.com](mailto:irvin.aguirre@bncllaw.com)>; Julia Quesada <[julia.quesada@bncllaw.com](mailto:julia.quesada@bncllaw.com)>; DeWitt Lacy <[dewitt@bncllaw.com](mailto:dewitt@bncllaw.com)>; Medina, Christina <[Christina.Medina@lewisbrisbois.com](mailto:Christina.Medina@lewisbrisbois.com)>  
**Subject:** [EXT] Re: [PC] Re: Lopez et al v City of Anaheim et al - Request to Meet and Confer re Modification of the Scheduling Order

As stated in my previous email, we are happy to consider alternative dates.

Re the mediation: Are you still amenable to Judge Biderman? If so, I will inquire as to his upcoming availability.

Regards,

Lena P. Andrews

*Attorney*

<~WRD0000.jpg>

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On Fri, Apr 26, 2024 at 11:56 AM Sain, Tony <[Tony.Sain@lewisbrisbois.com](mailto:Tony.Sain@lewisbrisbois.com)> wrote:

Dear Counsel:

The current stipulation does not work for defendants. Ms. McLaughlin is trying to find a defense-workable alternative. However, as she previously advised, that requires a lot of scheduling coordination, since you also want to move the trial date.

Additionally, defendants cannot agree to any continuances unless and until the mediation has been rescheduled.

Ms. McLaughlin will get back to you as soon as feasible. Thanks!

Respectfully,

Tony M. Sain, Esq., Partner Of

**LEWIS, BRISBOIS, BISGAARD & SMITH LLP**

633 West 5<sup>th</sup> Street, Suite 4000

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213.250.1800 (main)

[Tony.Sain@lewisbrisbois.com](mailto:Tony.Sain@lewisbrisbois.com)

<https://lewisbrisbois.com/attorneys/sain-tony-m>

---

**From:** Lena Andrews <[lena.andrews@bncllaw.com](mailto:lena.andrews@bncllaw.com)>

**Sent:** Friday, April 26, 2024 11:20 AM

**To:** McLaughlin, Abigail <[Abigail.McLaughlin@lewisbrisbois.com](mailto:Abigail.McLaughlin@lewisbrisbois.com)>

**Cc:** Gregg Audet <[gaudet@anaheim.net](mailto:gaudet@anaheim.net)>; Bakken, Tori <[Tori.Bakken@lewisbrisbois.com](mailto:Tori.Bakken@lewisbrisbois.com)>; Fox (LA), Dana <[Dana.Fox@lewisbrisbois.com](mailto:Dana.Fox@lewisbrisbois.com)>; Sain, Tony <[Tony.Sain@lewisbrisbois.com](mailto:Tony.Sain@lewisbrisbois.com)>; Irvin Aguirre <[irvin.aguirre@bncllaw.com](mailto:irvin.aguirre@bncllaw.com)>; Julia Quesada <[julia.quesada@bncllaw.com](mailto:julia.quesada@bncllaw.com)>; DeWitt Lacy <[dewitt@bncllaw.com](mailto:dewitt@bncllaw.com)>

**Subject:** Re: [EXT] Re: Lopez et al v City of Anaheim et al - Request to Meet and Confer re Modification of the Scheduling Order

Good morning:

I am following up on Defendants' position on the stipulation. Please advise.

Regards,

Lena P. Andrews

*Attorney*

<~WRD0000.jpg>

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On Tue, Apr 23, 2024 at 8:13 PM Lena Andrews <[lena.andrews@bncllaw.com](mailto:lena.andrews@bncllaw.com)> wrote:

Ms. McLaughlin:

A draft stipulation is attached. The dates reflect a 60 day continuance. If the proposed trial date does not work for your office, please suggest alternative dates and we would be happy to consider them.

Please use track changes for any suggested revisions.

Regards,

Lena P. Andrews

*Attorney*

<~WRD0000.jpg>

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On Mon, Apr 22, 2024 at 11:58 AM McLaughlin, Abigail <[Abigail.McLaughlin@lewisbrisbois.com](mailto:Abigail.McLaughlin@lewisbrisbois.com)> wrote:

Ms. Andrews:

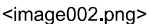
As you know, counsel on this matter are also currently engaged in trial on the Nunis matter. We are discussing the continuance and will get back to you as soon as we can, given the May 10, 2024 fact discovery cut-off. It may be easier to assess if you could circulate a stipulation with proposed dates – that way we are able to see if such comports with our trial schedule in other matters.

Thank you,

Abigail

 **Abigail J. R. McLaughlin** (She/Her/Hers)  
**Partner**  
[Abigail.McLaughlin@lewisbrisbois.com](mailto:Abigail.McLaughlin@lewisbrisbois.com)  
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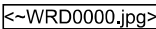
**From:** Lena Andrews <[lena.andrews@bnclaw.com](mailto:lena.andrews@bnclaw.com)>  
**Sent:** Monday, April 22, 2024 11:53 AM  
**To:** Gregg Audet <[gaudet@anaheim.net](mailto:gaudet@anaheim.net)>; Bakken, Tori <[Tori.Bakken@lewisbrisbois.com](mailto:Tori.Bakken@lewisbrisbois.com)>; Fox (LA), Dana <[Dana.Fox@lewisbrisbois.com](mailto:Dana.Fox@lewisbrisbois.com)>; McLaughlin, Abigail <[Abigail.McLaughlin@lewisbrisbois.com](mailto:Abigail.McLaughlin@lewisbrisbois.com)>; Sain, Tony <[Tony.Sain@lewisbrisbois.com](mailto:Tony.Sain@lewisbrisbois.com)>  
**Cc:** Irvin Aguirre <[irvin.aguirre@bnclaw.com](mailto:irvin.aguirre@bnclaw.com)>; Julia Quesada <[julia.quesada@bnclaw.com](mailto:julia.quesada@bnclaw.com)>; DeWitt Lacy <[dewitt@bnclaw.com](mailto:dewitt@bnclaw.com)>  
**Subject:** [EXT] Re: Lopez et al v City of Anaheim et al - Request to Meet and Confer re Modification of the Scheduling Order

Counsel:

I am following up on my email from Thursday. Please advise as to your position on a stipulation to continue.

Regards,

Lena P. Andrews  
*Attorney*



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On Apr 18, 2024, at 12:04 PM, Lena Andrews <[lena.andrews@bncllaw.com](mailto:lena.andrews@bncllaw.com)> wrote:

Counsel:

I am writing to request that we meet and confer regarding a stipulation to modify the scheduling order in the *Lopez* matter.

As you well know, the Nunis trial is currently ongoing and will last until at least the beginning of May with jury deliberations. Currently, the fact discovery cutoff for Lopez is May 10, 2024. As you know, we previously had a mediation scheduled but due to obligations with her employer, Plaintiffs were not able to attend. Plaintiffs remain interested in engaging in additional settlement discussions and I believe it would be prudent to extend all deadlines in this matter to allow for additional time for those settlement discussions prior to the parties expending additional costs on the case in taking more depositions and hiring experts.

Furthermore, the current trial date in this case (September 17, 2024), ordered by the Court in response to Defendants' Motion to Continue, conflicts with a trial in another matter that was set prior to the Court's order in this matter. That trial is very likely to move forward, necessitating a continuance of this trial.

We would request a sixty day continuance of all deadlines to allow time for the parties to find a mutually convenient date for a mediation and to address the conflict with the trial date. Please advise if you are willing to stipulate to a continuance and I will prepare a stipulation.

Thank you in advance for your anticipated professional courtesies.

Regards,

Lena P. Andrews

*Attorney*

<~WRD0000.jpg>

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Sain, Tony <Tony.Sain@lewisbrisbois.com>

Mon, May 6, 2024 at 11:44 AM

To: Lena Andrews <lena.andrews@bnclaw.com>

Cc: "Bakken, Tori" <Tori.Bakken@lewisbrisbois.com>, "McLaughlin, Abigail" <Abigail.McLaughlin@lewisbrisbois.com>, Gregg Audet <GAudet@anaheim.net>, "Fox (LA), Dana" <Dana.Fox@lewisbrisbois.com>, Irvin Aguirre <irvin.aguirre@bncllaw.com>, Julia Quesada <julia.quesada@bncllaw.com>, DeWitt Lacy <dewitt@bncllaw.com>, "Medina, Christina" <Christina.Medina@lewisbrisbois.com>

Dear Counsel:

Ms. Bakken's email below very clearly stated the City defendants' position: they are unwilling to stipulate to any more continuances unless and until a good faith mediation is Completed.

If the case settles on 5/14, as one should hope all desire, then there will be no need for any continuance. In the unlikely event that the parties cannot find a common ground, with your plaintiffs attending on 5/14, then we will gladly revisit your continuance request thereafter.

However, If, as you now propose, plaintiffs seek to proceed ex Parte, please note that we oppose such both for lack of good cause and substantively given the conflicts previously raised.

Our suggestion is to table this continuance discussion until after 5/14 and to instead devote our energies to getting our clients to try to work out their differences and reach a good faith settlement on Tu 5/14.

To that end, defendants have already made a pre-mediation offer which never received any counter from your clients. Perhaps your energy might be better spent identifying what settlement closer to that offer might be acceptable to your clients.

In the mean time, we look forward to trying to resolve this with you next week.

Thanks.

Respectfully,

-Tony M. Sain

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Emails sent from this device may be work-related and/or sent in my capacity as an attorney. To be safe, please treat this message as Confidential: as it might contain privileged matters. Please accept my apologies in advance for any typos or apparent brusqueness: they are a frequent and inadvertent byproduct of typing a quick response on the go. Thanks.

On May 6, 2024, at 11:13 AM, Lena Andrews <lena.andrews@bnclaw.com> wrote:

Ms. Bakken:

This is unacceptable and clearly a bad faith attempt to stymy Plaintiffs.

We have been discussing this stipulation for almost two weeks. First you indicated that you would only agree to a stipulation if we agreed to move the trial date to June as the trial date set by the Court conflicts with a previously scheduled trial. We agreed in good faith.

Then you indicated that you would agree to the stipulation if we got the mediation back on calendar and confirmed. We agreed and worked diligently to make sure it was back on calendar as soon as possible. Then, after we had agreed in good faith to each of your demands, you now inform us that Defendants are only willing to stipulate to a scheduling change after the mediation has occurred on May 14, 2024, which is after the close of discovery and only three days prior to the expert disclosure deadline. This is pure gamesmanship and not well taken.

If you cannot agree to the stipulation, Plaintiffs will be moving ex parte to modify the scheduling order.

Please advise as to your position.

Regards,

Lena P. Andrews

#1588

Attorney



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On Mon, May 6, 2024 at 10:59 AM Bakken, Tori <[Tori.Bakken@lewisbrisbois.com](mailto:Tori.Bakken@lewisbrisbois.com)> wrote:

Good Morning Lena,

As I advised in my 5/2 email, we are not authorized to agree to any continuance in this matter at this time. After the mediation concludes, we are open to re-discussing if necessary.

Thank you,

Tori



**Tori L. N. Bakken**  
Attorney  
[Tori.Bakken@lewisbrisbois.com](mailto:Tori.Bakken@lewisbrisbois.com)  
T: 213.680.5172 F: 213.250.7900

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**From:** Lena Andrews <[lena.andrews@bncllaw.com](mailto:lena.andrews@bncllaw.com)>

**Sent:** Monday, May 6, 2024 10:40 AM

**To:** Bakken, Tori <[Tori.Bakken@lewisbrisbois.com](mailto:Tori.Bakken@lewisbrisbois.com)>

**Cc:** Sain, Tony <[Tony.Sain@lewisbrisbois.com](mailto:Tony.Sain@lewisbrisbois.com)>; McLaughlin, Abigail <[Abigail.McLaughlin@lewisbrisbois.com](mailto:Abigail.McLaughlin@lewisbrisbois.com)>; Gregg Audet <[gaudet@anaheim.net](mailto:gaudet@anaheim.net)>; Fox (LA), Dana <[Dana.Fox@lewisbrisbois.com](mailto:Dana.Fox@lewisbrisbois.com)>; Irvin Aguirre <[irvin.aguirre@bncllaw.com](mailto:irvin.aguirre@bncllaw.com)>; Julia Quesada <[julia.quesada@bncllaw.com](mailto:julia.quesada@bncllaw.com)>; DeWitt Lacy <[dewitt@bncllaw.com](mailto:dewitt@bncllaw.com)>; Medina, Christina <[Christina.Medina@lewisbrisbois.com](mailto:Christina.Medina@lewisbrisbois.com)>

**Subject:** Re: [EXT] Re: [PC] Re: Lopez et al v City of Anaheim et al - Request to Meet and Confer re Modification of the Scheduling Order

I am again following up on the stipulation. Per your request, the mediation for May 14 has been confirmed.

An updated draft of the stipulation is attached. Please advise of your revisions by close of business today so that we can timely file the stipulation prior to the current discovery cut-off.

Regards,

Lena P. Andrews

Attorney

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On Wed, May 1, 2024 at 12:15 PM Lena Andrews <[lena.andrews@bncllaw.com](mailto:lena.andrews@bncllaw.com)> wrote:

Good morning:

I am following up on the trial date and a date for the rescheduled mediation. Please advise.

Regards,

Lena P. Andrews

Attorney

|

<~WRD3948.jpg>

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Beverly Hills, CA 90212

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On Tue, Apr 30, 2024 at 3:56 PM Lena Andrews <[lena.andrews@bncllaw.com](mailto:lena.andrews@bncllaw.com)> wrote:

May 15 will not work and May 17 is not ideal. Do you have any other availability in late May?

Regards,

Lena P. Andrews

Attorney

<~WRD3948.jpg>

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Beverly Hills, CA 90212

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On Tue, Apr 30, 2024 at 1:13 PM Bakken, Tori <[Tori.Bakken@lewisbrisbois.com](mailto:Tori.Bakken@lewisbrisbois.com)> wrote:

We can do May 15 or May 17, but the 15<sup>th</sup> is preferable.



Tori L. N. Bakken  
Attorney  
[Tori.Bakken@lewisbrisbois.com](mailto:Tori.Bakken@lewisbrisbois.com)

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---

**From:** Lena Andrews <[lena.andrews@bncllaw.com](mailto:lena.andrews@bncllaw.com)>

**Sent:** Tuesday, April 30, 2024 12:28 PM

**To:** Bakken, Tori <[Tori.Bakken@lewisbrisbois.com](mailto:Tori.Bakken@lewisbrisbois.com)>

**Cc:** Sain, Tony <[Tony.Sain@lewisbrisbois.com](mailto:Tony.Sain@lewisbrisbois.com)>; McLaughlin, Abigail <[Abigail.McLaughlin@lewisbrisbois.com](mailto:Abigail.McLaughlin@lewisbrisbois.com)>; Gregg Audet <[gaudet@anaheim.net](mailto:gaudet@anaheim.net)>; Fox (LA), Dana <[Dana.Fox@lewisbrisbois.com](mailto:Dana.Fox@lewisbrisbois.com)>; Irvin Aguirre <[irvin.aguirre@bncllaw.com](mailto:irvin.aguirre@bncllaw.com)>; Julia Quesada <[julia.quesada@bncllaw.com](mailto:julia.quesada@bncllaw.com)>; DeWitt Lacy <[dewitt@bncllaw.com](mailto:dewitt@bncllaw.com)>; Medina, Christina <[Christina.Medina@lewisbrisbois.com](mailto:Christina.Medina@lewisbrisbois.com)>

**Subject:** Re: [EXT] Re: [PC] Re: Lopez et al v City of Anaheim et al - Request to Meet and Confer re Modification of the Scheduling Order

In addition, Judge Biderman has requested that we send him some requested dates for the mediation that are at least 2 weeks out. Could you please provide some dates that work for you?

Regards,

Lena P. Andrews

Attorney

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**Burris, Nisenbaum, Curry and Lacy LLP**

9701 Wilshire Blvd., Suite 1000

Beverly Hills, CA 90212

Telephone: (310) 601-7070

Facsimile: (510) 839-3882

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On Apr 30, 2024, at 11:47 AM, Lena Andrews <[lena.andrews@bnclaw.com](mailto:lena.andrews@bnclaw.com)> wrote:

Counsel:

We can agree to a June 2025 trial date. You had stated you were available June 19-27; however June 19 is a Thursday so that will not work as a start date.

Can you be available to start on June 24?

Regards,

Lena P. Andrews

*Attorney*

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On Tue, Apr 30, 2024 at 11:27 AM Lena Andrews <[lena.andrews@bnclaw.com](mailto:lena.andrews@bnclaw.com)> wrote:

Please hold the June dates. I will confirm with my clients and we should be able to get this stipulation finalized by tomorrow.

I have also reached out to Judge Biderman for his availability so that we can reschedule the mediation.

Regards,

Lena P. Andrews



Attorney

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#### 5 attachments



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1K



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15K



image002.png  
10K

Lena Andrews <lena.andrews@bncllaw.com>

Mon, May 6, 2024 at 2:43 PM

To: "Sain, Tony" <Tony.Sain@lewisbrisbois.com>

Cc: "Bakken, Tori" <Tori.Bakken@lewisbrisbois.com>, "McLaughlin, Abigail" <Abigail.McLaughlin@lewisbrisbois.com>, Gregg Audet <GAudet@anaheim.net>, "Fox (LA), Dana" <Dana.Fox@lewisbrisbois.com>, Irvin Aguirre <irvin.aguirre@bncllaw.com>, Julia Quesada <julia.quesada@bncllaw.com>, DeWitt Lacy <dewitt@bncllaw.com>, "Medina, Christina" <Christina.Medina@lewisbrisbois.com>

Mr. Sain:

While we are hopeful that this case will be fully resolved next week, that does not obviate the need to extend the discovery deadline to ensure that unnecessary costs are not expended and that Plaintiffs' right to conduct additional discovery, if necessary, is preserved. We relied on the agreement to stipulate to the continuance and the conversations that have occurred over the last two weeks in not requesting dates for the officers depositions while we are all engaged in trial. It was not until May 2, 2024, after the mediation had been scheduled and Plaintiffs agreed to Defendants proposed trial date, that Defendants notified Plaintiff that they would not agree to stipulate to a continuance until after the mediation had occurred.

In order to preserve Plaintiffs' rights should the case not resolve, we will be moving ex parte to modify the scheduling order. We will note your opposition in the moving papers.

Regards,

Lena P. Andrews

Attorney



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